

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

ANTHONY R. TURNER,  
Plaintiff,

v.

VALLEJO CITY MAYOR, et al.,  
Defendants.

No. 2:23-cv-2894-KJM-SCR

ORDER

Plaintiff is a county inmate proceeding without counsel in this civil rights action filed pursuant to 42 U.S.C. § 1983. By order dated September 3, 2024, plaintiff was granted an extension of time to file an amended complaint. ECF No. 40. Rather than file an amended complaint, plaintiff filed a notice of appeal. ECF No. 44. By order dated April 3, 2025, the Ninth Circuit Court of Appeal dismissed plaintiff's appeal. ECF No. 51. Therefore, the court will reset the deadline for plaintiff to file a first amended complaint.

Also pending before the court is plaintiff's motion for discovery. ECF No. 48. Plaintiff is advised that discovery is premature in this case because he has not filed an amended complaint that has been ordered to be served on any defendant. Therefore, the court denies the motion without prejudice. The court will issue a discovery and scheduling order only after an amended complaint is served and after all defendants have filed an answer to the amended complaint.

Plaintiff has also filed a motion to compel the Contra Costa County Sheriff to provide a

1 certified copy of his inmate trust account. ECF No. 49. However, the court granted plaintiff's  
2 motion to proceed in forma pauperis on July 26, 2024. ECF No. 33. Therefore, plaintiff's motion  
3 to compel is denied as unnecessary.

4 Accordingly, IT IS HEREBY ORDERED that:

5 1. Plaintiff shall file an amended complaint on or before **June 2, 2025**. No further  
6 extensions of time shall be granted absent extraordinary circumstances.

7 2. The failure to file an amended complaint within the time provided will result in a  
8 recommendation that this action be dismissed.

9 3. Plaintiff's motion for discovery (ECF No. 48) is denied without prejudice as  
10 premature.

11 4. Plaintiff's motion to compel the Contra Costa Sheriff to provide a certified copy of his  
12 inmate trust account (ECF No. 49) is denied as unnecessary.

13 5. The Clerk of Court is directed to send plaintiff a copy of the civil rights complaint form  
14 for prisoners used in this district.

15 DATED: April 29, 2025

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18 SEAN C. RIORDAN  
19 UNITED STATES MAGISTRATE JUDGE  
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